

PATENT COOPERATION TREATY
PCT
INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)
(PCT Article 36 and Rule 70)

REC'D 24 JAN 2006

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Applicant's or agent's file reference P100651	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/SG2004/000351	International filing date (day/month/year) 25 October 2004	Priority date (day/month/year) 29 October 2003
International Patent Classification (IPC) or national classification and IPC Int. Cl. <i>C12Q 1/00</i> (2006.01) <i>C12Q 1/26</i> (2006.01) <i>G01N 27/26</i> (2006.01) <i>C12Q 1/18</i> (2006.01) <i>C12Q 1/54</i> (2006.01) <i>G01N 33/543</i> (2006.01)		
Applicant AGENCY FOR SCIENCE, TECHNOLOGY AND RESEARCH et al.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
- a. ☒ (sent to the applicant and to the International Bureau) a total of 5 sheets, as follows:
- ☐ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
- ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
- b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or table related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

- ☒ Box No. I Basis of the report
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

Date of submission of the demand
29 August 2005

Date of completion of this report
11 January 2006

Name and mailing address of the IPEA/AU
AUSTRALIAN PATENT OFFICE
PO BOX 200, WODEN ACT 2606, AUSTRALIA
E-mail address: pct@ipaustralia.gov.au
Facsimile No. (02) 6285 3929

Authorized Officer

ALBERT S. J. YONG
Telephone No. (02) 6283

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/SG2004/000351

Box No. I Basis of the report

With regard to the language, this report is based on:

☒ The international application in the language in which it was filed

☐ A translation of the international application into _____, which is the language of a translation furnished for the purposes of:

☐ international search (under Rules 12.3(a) and 23.1 (b))

☐ publication of the international application (under Rule 12.4(a))

☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

☐ the international application as originally filed/furnished

☒ the description:

pages 1-40, 49(abstract) as originally filed/furnished

pages* received by this Authority on _____ with the letter of

pages* received by this Authority on _____ with the letter of

☒ the claims:

pages as originally filed/furnished

pages* as amended (together with any statement) under Article 19

pages*41-45 received by this Authority on 21 December 2005 with the letter of 21 December 2005

pages* received by this Authority on _____ with the letter of

☒ the drawings:

pages 1/15-15/15 as originally filed/furnished

pages* received by this Authority on _____ with the letter of

pages* received by this Authority on _____ with the letter of

☒ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☒ The amendments have resulted in the cancellation of:

☐ the description, pages

☒ the claims, Nos. 26-45

☐ the drawings, sheets/figs

☐ the sequence listing (*specify*):

☐ any table(s) related to the sequence listing (*specify*):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages

☐ the claims, Nos.

☐ the drawings, sheets/figs

☐ the sequence listing (*specify*):

☐ any table(s) related to the sequence listing (*specify*):

* If item 4 applies, some or all of those sheets may be marked "superseded."

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/SG2004/000351

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

.. Statement

Novelty (N)	Claims 1-25	YES
	Claims	NO
Inventive step (IS)	Claims 1-25	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-25	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)

CITATIONS

- D1. XIE, Anal. Chem. Vol 76, No. 6 (2004)
- D2. ZHANG, Sensors and Actuators, B 101 (2004)
- D3. BU, Anal. Chem. Vol 68, no.22 (1996)
- D4. BU, Anal. Chem. Vol 68, no.20
- D5. US 4341881

NOVELTY AND INVENTIVE STEP.

Claims 1-25: The claimed invention broadly relates to a biosensor comprising a detection electrode, a first layer on the electrode comprising a complex of capture molecule and analyte molecule and a second layer comprising an electrochemical activator. These features are disclosed in each of citations D1 and D2. However, it should be noted that these documents were published after the earliest priority date of the claims and they may be of relevance to certain elected states at the national phase stage.

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Supplemental Box Relating to Sequence Listing

Continuation of Box No. I, item 2:

With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this report was established on the basis of:

a. type of material

☒

a sequence listing

☐

table(s) related to the sequence listing

b. format of material

☒

on paper

☒

in electronic form

c. time of filing/furnishing

☒

contained in the international application as filed

☒

filed together with the international application in electronic form

☐

furnished subsequently to this Authority for the purposes of search and/or examination

☐

received by this Authority as an amendment* on

2. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

3. Additional comments:

* If item 4 in Box No. I applies, the listing and/or table(s) related thereto, which form part of the basis of the report, may be marked "superseded."

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